



22651 U.S. PTO

Attorney's Docket No.: UC03-392-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

16834 U.S. PTO  
10/822148  
040804

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Inventor(s):

PEIDONG YANG; RONGRUI HE; JOSHUA GOLDBERGER; RONG FANG, YIYING WU;  
DEYU LI; ARUN MAJUMDAR

For (title):

FLUIDIC NANOTUBES AND DEVICES

1. **Type of Application**

(check all applicable)

- ☒ Utility
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation of PCT designating US
- ☒ Continuation-in-part (CIP)

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date 08 APRIL 2004 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV352303535US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

John P. O'Banion

(Type or print name of person mailing paper)

  
(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" label placed thereon prior to mailing. 37 CFR 1.10(b).

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design) Application**

63 Pages of specification

19 Pages of claims

1 Pages of Abstract

42 Sheets of drawing

X formal

— informal

— The enclosed drawing(s) include photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. 1.84(b).

**3. Additional papers enclosed**

X Preliminary Amendment

— Information Disclosure Statement

— Citations

— Special Comments

— Other (SPECIFY)

**4. Declaration Or Oath**

— Enclosed

executed by:

— inventor(s)

— legal representative of inventor(s). 37 CFR 1.42 or 1.43.

— joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

— this is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. (See item 15 below for fee.)

— Copy from a prior application (37 CFR 1.63(d)) (divisional or continuation only)

X Not Enclosed. Application is made by a person authorized under 37 CFR 1.41(c) on Behalf of all of the above named inventor(s).

(The declaration or oath, along with the surcharge required by 37 CFR 1.16(e) can be filed subsequently).

**5. Inventorship Statement**

The inventorship for all the claims in this application are:

☒ The same

or

☐ Are not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

☐ is submitted.

☐ will be submitted.

**6. Language**

☒ English

☐ non-English

☐ the attached translation is a verified translation. 37 CFR 1.52(d).

**7. Assignment**

☒ An assignment of the invention to: THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

☐ is attached. A separate "ASSIGNMENT COVER LETTER ACCOMPANYING NEW PATENT APPLICATION" is also attached.

☒ will follow.

**8. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120 or 121)**

☒ Applicant(s) hereby claim(s) the benefit of the filing date of the following prior U.S. Application(s):

1. Application History (title as originally filed and as last amended, serial number, and filing date of all prior applications):

Title: FLUIDIC NANOTUBES AND DEVICES  
Ser. No.: 60/461,346  
Filed: 04/08/2003

Name of applicant(s) (as originally filed and as last amended), and current correspondence address of applicant(s):

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MIN YUE  
935 PIERCE STREET, #3  
ALBANY, CA 94706

ARUN MAJUMDAR  
151 ARDITH DRIVE  
ORINDA, CA 94563

2. Application History (title as originally filed and as last amended, serial number, and filing date of all prior applications):

Title: FLUIDIC NANOTUBES AND DEVICES  
Ser. No.: 10/731,745  
Filed: 12/08/2003

Name of applicant(s) (as originally filed and as last amended), and current correspondence address of applicant(s):

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151 ARDITH DRIVE  
ORINDA, CA 94563

3. Application History (title as originally filed and as last amended, serial number, and filing date of all prior applications):

Title: EPITAXIAL CASTING OF SINGLE CRYSTALLINE GALLIUM NITRIDE  
NANOTUBES  
Ser. No.: 60/454,038  
Filed: 03/11/2003

Name of applicant(s) (as originally filed and as last amended), and current correspondence address of applicant(s):

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4. Application History (title as originally filed and as last amended, serial number, and filing date of all prior applications):

Title: VANISHING TEMPLATE METHOD OF FABRICATING NANOTUBES  
Ser. No.: 60/432,104  
Filed: 12/09/2002

Name of applicant(s) (as originally filed and as last amended), and current correspondence address of applicant(s):

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**9. Fee Calculation (37 CFR 1.16)**

CLAIMS AS FILED							
	Number filed		Number Extra		Rate		Basic Fee \$ 770
Total							
Claims 37 CFR 1.16(c)	37	- 20	=	17	X	\$18 =	306
Independent							
Claims (37 CFR 1.16(b))	5	- 3	=	2	X	\$86 =	172
Multiple dependent claim(s), if any (37 CFR 1.16(d))					+	\$290 =	

☒ Amendment canceling extra claims enclosed.

☒ Amendment deleting multiple-dependencies enclosed.

Filing Fee Calculation \$ 1248

**10. Small Entity Statement**

☒ Applicant qualifies as a small entity under 37 CFR 1.9 and 1.27

Filing Fee Calculation (50% of above) \$ 624

**11. Fee Payment Being Made At This Time**

X Not Enclosed

X No filing fee is to be paid at this time. (This and the surcharge required by 37 CFR 1.16(e) can/will be paid subsequently.)

     Enclosed

     basic filing fee \$                     

     recording assignment (\$40.00; 37 CFR 1.21(h)) \$                     

Total Fees Enclosed \$                     0

**12. Method of Payment of Fees**

     Check in the amount of \$                     

     Charge Account No.                      in the amount of \$                     .

**13. Instructions As To Overpayment**

X credit Deposit Account No. 07-1137

     refund

**14. Incorporation By Reference of Papers Identified Herein**

Applicant(s) hereby incorporate(s) by reference all papers which are identified in this New Application Transmittal.

**15. Correspondence Address**

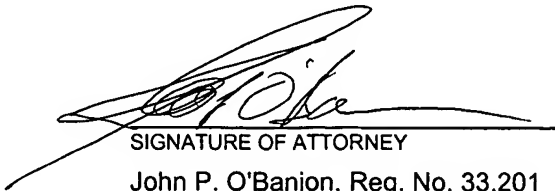
Please use the following correspondence address for all communications:

**CUSTOMER NUMBER 8156**

**John P. O'Banion, Reg. No. 33,201  
O'BANION & RITCHEY LLP  
400 Capitol Mall, Suite 1550  
Sacramento, CA 95814  
(916) 498-1010**

**16. Signature of Attorney**

Dated: 7/8/04

  
SIGNATURE OF ATTORNEY  
John P. O'Banion, Reg. No. 33,201

CUSTOMER NUMBER 8156

## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that the foregoing:

U.S. Patent Application

1. Specification (pages 1-63)
2. Claims (pages 64-82)
3. Abstract (page 83)
4. Drawings (sheets 1-42)

is being deposited with the United States Postal Service on 08 APRIL 2004 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV352303535US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JOHN P. O'BANION

(Type or print name of person mailing paper)

  
(Signature of person mailing paper)



## CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that the foregoing:

## First Preliminary Amendment

is being deposited with the United States Postal Service on 08 APRIL 2004 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV352303535US addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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